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PRESCOTT, ARIZONA, WEDNESDAY MORNING, APRIL 7, 1909.

FORTY-FIFTH YEAR.

JUDGE SLOAN WILL BE OUR NEXT GOVERNOR

FINAL HEARING IN STANDARD OIL SUIT

Over 11,000,000 Words
Of Testimony
To Hear

THE CASE HAS ALREADY COST
\$2,000,000

THE CASE WILL GO DOWN IN
HISTORY AS THE MOST
EXPENSIVE EVER
UNDERTAKEN

By Associated Press.
ST. LOUIS, April 5.—The government's suit to dissolve the Standard Oil Company of New Jersey came up for final hearing in the United States Circuit Court here today, with Judges Van Deventer, Sanborn, Adams and Cook on the bench. The case was originally set for March 23, but at the request of the defendants was postponed.

All of the testimony has been taken. Both written and oral argument will be submitted. The record of testimony to be reviewed is contained in nineteen typewritten volumes containing 25,000 pages and about 11,500,000 words. Of this there are 4,500,000 words of oral testimony and about 7,000,000 words and groups of figures in the exhibits.

Special Assistant Attorney General of the United States Frank B. Kellogg filed his brief with the clerk of the United States Circuit Court and then commenced his argument, after two years in taking evidence in the government suit to dissolve the Standard Oil Company of New Jersey, for alleged violation of the Sherman act. The presentment was heard by the entire court.

For the first time in the American courts the president of the United States was quoted as legal authority by Attorney Frank Kellogg in his argument. He read at length from a decision rendered in the Adison pipe line case made by President Taft when he was a judge at Cincinnati. The issue involved an alleged restraint of trade.

Kellogg will conclude his remarks at noon tomorrow. On account of one of the four judges leaving on Saturday Mr. Kellogg insisted on the defense completing their argument on Friday evening. This the defense bitterly opposed.

Assistant Attorney General Morrison of Chicago also argued certain phases of the government's case. The defense had a half score of counsel present, including Milburn of New York, and Rosenthal of Chicago. Attorney Kellogg divided the alleged conspiracy into three periods: first 1870 to 1882, which was a simple combination in the hands of three trustees. From 1882 to 1899 it became a trust in the hands of nine trustees, when it was declared to be illegal by the Ohio courts, and then it took the form of a holding company known as the Standard Oil Company of New Jersey.

The suit, which will probably go down in history as the most expensive ever undertaken by the federal government, was filed in this city in December, 1906, and the taking of testimony began the following year. The government presented 190 witnesses and the Standard Oil Company 140. The complaint in the case, occupying 287 pages, including the exhibits, names seven individual defendants, besides the Standard Oil Company of New Jersey and sixty-nine alleged subsidiary oil companies.

The individual defendants named are John D. Rockefeller, William Rockefeller, H. H. Rogers, Henry M. Flagler, John D. Archbold, Oliver H. Payne and Charles M. Pratt. The govern-

ment in its attempt to prove that the Standard is a monopoly operating in restraint of trade produced a mass of pipe line and railroad rate testimony, purporting to show that unfair competition existed. In its defense the Standard's most important line of testimony was that regarding the agreement of 1882, in which it was shown that, instead of grouping a number of competing lines under one management, the Standard merely gathered its own properties under a more concrete head. The question of whether the companies which were in existence before the enactment of the Sherman anti-trust law in 1890 will be held as violators of the requirements of that law will be one of the most important the four judges of the Eighth Circuit will be called upon to decide.

In the event of a disagreement between the four jurists the case will be certified up to the Supreme Court. In any event the case will not be tried by the Appellate Division, as it has been arranged that in the event of a decision either way the case will be appealed direct to the Supreme Court.

It is estimated that the case thus far has cost about \$4,000,000, and that it will cost at least another million, perhaps more, before it is finally decided by the Supreme Court of the United States. In the event of the government's failing in its attempt to dissolve the company, the cost for printing, the cost for stenographers, and the referee's bill will fall upon the government. In the meantime both sides are paying the bills.

SHIP AGROUND MAGDALENA BAY

PACIFIC MAIL STEAMER INDIANA
FAST AGROUND WILL
PROVE TOTAL
WRECK

By Associated Press.
SAN DIEGO, April 2.—Advice from Magdalena Bay, were to the effect that the steamship Indiana of the Pacific Mail Steamship Line is aground. Her passengers were taken aboard of the cruiser California, which sailed yesterday direct for San Francisco. It is said the steamer is a total wreck. The cruiser Albany and tug Fortuna are standing by to take off the Indiana's captain and crew, who were still aboard when she went aground on the morning of the 3rd inst.

Messages received by the Point Loma wireless station early this evening say the cruiser California having on board the passengers of the steamer was proceeding to San Francisco without stopping to land passengers at San Diego.

Insurance Companies to Take Charge.
SAN FRANCISCO, April 5.—Various insurance companies interested in the wreck of the Indiana and her cargo were empowered to take full charge of the salvage work. Captain A. F. Pillsbury, of the marine underwriters, sailed to the scene of the disaster by the steamer San Juan. Four boats with a cargo capacity of fifty tons each accompanied him. They will be used in saving the cargo above the water level.

MODJESKA STILL LIVES
Struggling With the Grim Destroyer,
May Yet Linger.

LOS ANGELES, April 5.—Although the attending physicians predicted her death at any minute since Friday, the great actress lies in a state of unconsciousness at her home at Bay Island, but is alive tonight, and may linger for some time. There is no hope of her complete recovery, and the end cannot be far off.

ARIZONA FORECAST

WASHINGTON, April 5.—Fair and warmer Tuesday and Wednesday.

HIS APPOINTMENT AGREED UPON AFTER ARRIVAL OF YOUNG

Latter Will Probably be Secretary Of
The Territory in Response To
Demand for Party
Recognition

Special to the Journal-Miner.

Washington, April 5.—Judge Sloan, of Prescott, will be the next Governor of Arizona, and the indications are that George U. Young will be the Secretary of the Territory.

Chairman Hoval A. Smith and Secretary George U. Young of the Territorial Republican committee of Arizona, arrived today in response to a summons from those "higher up," and before 3 o'clock it was a settled condition that the appointment of governor would go to Judge Sloan.

Placing Arizona first, his party second, and his personal benefit last, Young withdrew all claims for preferment when he became convinced after the situation was presented to him, that the best interests of the Territory and the party would be best served by the appointment of Sloan.

ALBANIANS ARE TIME IS SET VERY SORE FOR FINAL NOW VOTE

DEPUTIES ACCUSE GOVERNMENT
OF SELLING PORTION OF
EMPIRE FOR SMALL
PRICE

By Associated Press.
CONSTANTINOPLE, April 5.—After a ten-hour stormy debate, in which Albanian deputies accused the government of selling a portion of the empire for an insignificant sum, the deputies today approved the Austro-Turkish protocol by a vote of 136 to 46.

The protocol provides for a settlement of the differences arising out of the annexation by Austria-Hungary of the provinces of Bosnia and Herzegovina, signed at Constantinople on February 25. Under it Turkey receives \$10,800,000 indemnity.

STANTON IMPROVING

LOS ANGELES, April 5.—Philip Stanton, speaker of the recent California legislature, is improving slowly from the severe attack of heart dilation caused by overwork in the assembly. He will be compelled to remain in the California Hospital two or three weeks longer.

The support of the party organization was first thrown to Young on March 10 and he states that he was forced by the organization to accept it, believing that the welfare of the party demanded it. Hence, the anomaly is presented here of neither Young nor Sloan wanting the office, and each supporting the other for it.

The indications are that Young will be secretary of the Territory and the matter of filling the vacancy in the judgeship that will be caused by the retirement of Sloan, will be settled soon. Numerous telegrams have been received here endorsing John Mason Ross of Prescott, and Paul Burks likewise has strong support. E. S. Clark is making no effort to secure the position.

Hoval A. Smith, Ralph Cameron, George Young and Judge Sloan were guests at dinner of Secretary of the Interior Ballinger and Postmaster General Hitchcock, the two chief advisers of President Taft in regard to political affairs in Arizona.

APRIL 9 IS DATE SET TO TEST
THE PAYNE BILL—MANY
HOT SPEECHES
MADE

By Associated Press.
WASHINGTON, April 5.—At 3 o'clock April 9 was the time set today for a vote on the Payne tariff schedules. A long resolution by the committee on rules provided for closing debate on most articles enumerated, but left lumber, hides, etc., open for discussion. The resolutions were adopted late today with fifteen votes to spare, notwithstanding the desertion of twenty Republicans. Four out of the sixteen Democrats came from the Louisiana delegation, who likewise broke from their party.

Clark of Florida made an address denouncing Bryan, Bryanism, Populists and Populism, declaring that he would support the Payne bill if it contained what his constituents wanted, viz, a duty on Sea Island cotton and the protection of citrus fruits, pineapples, etc. His remarks led to an ex-

citing colloquy between Ransdall of Texas and other Democrats. Many bills and resolutions were introduced in the senate but were not debated. After a short executive session this afternoon the senate adjourned till Thursday.

TREATING VIOLATES LAW

LOUISVILLE, April 5.—Treating friends to drinks of whiskey, beer or wine on Sunday has been adjudged a violation of law, according to a decision of Judge Kreiger. The judge cited a decision from the court of appeals, which upheld a fine assessed in a case where whiskey was purchased from a distillery and divided among friends, was held to be a violation of the statutes.

DON'T LIKE INSPECTORS

Mexican "Spotters" on Trains to
Check Conductors Not Wanted

MEXICO CITY, April 5.—According to reports current here probably every American passenger conductor employed by the merged railroads in Mexico will either have to resign or submit to a daily checking up of accounts by the Mexican train inspectors. The latter officials were put on the trains the first of the month over vigorous protests from the conductors. These later declared that the inspectors must be removed before the end of the month or the Americans would resign.

AIRSHIP FAILS TRIP GIVEN UP

COUNT ZEPPELIN STARTS OUT
BUT DOESN'T GET ANY
FASTER THAN
MANEUVERS

By Associated Press.
FRIEDRICHSHAFEN, April 5.—Count Zeppelin in his airship ascended shortly after 9 o'clock with the intention of making a 24-hour flight.

Later advice tonight are to the effect that after 24 hours sailing the trip ended in failure, owing to unfavorable weather. The voyage was abandoned at 7:25 this evening. During this time it descended twice to the surface of a lake, taking water ballast. The balloon traveled to Biberach, then returned to the lake and engaged in maneuvering.

THREE BANK ROBBERS JAILED

LOS ANGELES, April 5.—The three men who were arrested in connection with the Monrovia bank robbery were held to answer by Justice Summerfield today under \$10,000 bail each. None was successful in securing the necessary bail and all were returned to jail.

KENTUCKY NEARLY GONE

ASHLAND, Ky., April 5.—Boyd county voted "dry" today by a majority of seven hundred. The victory for the "drys" means that 96 out of 119 counties in the state are wholly dry, under the county unit law.

ANOTHER ONE CAUGHT

HONOLULU, April 5.—M. Isci, recently convicted for importing women for immoral purposes, was sentenced today to five years imprisonment by Judge Leale.

THIRTY-FIRST VENIRE ORDERED

SAN FRANCISCO, April 5.—Twenty citizens from a special venire, the thirty-first, were summoned and examined today in the trial of Patrick Calhoun, charged with bribery, without the twelfth seat being filled.

SOUTHERN CALIFORNIA

WASHINGTON, April 5.—Tuesday fair.

NAPLES GREET ROOSEVELT TO-DAY

Emperor Williams Sends
Him Handsome
Flowers

THE HUNTING PARTY LEAVES
NAPLES FOR INDIA

CROWDS LINE THE DOCKS AND
CANNON BOOM AS THE
HAMBURG COMES
TO WHARF

By Associated Press.

NAPLES, April 5.—This famous old seaport of southern Italy was astir early today in anticipation of the arrival of ex-President Theodore Roosevelt and his party. The distinguished traveler was assured beforehand of a hearty and enthusiastic welcome. Members of the Italian royal family, the American ambassador at Rome, the many Americans resident in Italy and the people generally participated. In all sections of the city, and particularly along the water front, the American colors were much in evidence and many pictures of Mr. Roosevelt were to be seen. Orders were been issued by the customs authorities and the steamship officials for a quick transfer of the baggage of the Roosevelt party from the steamer Hamburg to the steamer Admiral, on which they are to continue their trip to Mombasa.

Roosevelt arrived at 1:05 o'clock. Fully five thousand foreigners came to the city in hopes of catching a glimpse of the ex-president. There was a noisy hearty greeting from ship and shore, American flags were on the consulate building, hotels and private residences. Ambassador Griscom went immediately aboard when the steamer arrived.

Roosevelt did not come ashore until 4:30, and the crowd on the docks and shore began to fear he would not land. When at the last-named hour he stepped from the steamer to the dock, shouts went up that were deafening and the police had difficulty in keeping the crush away from the ex-president.

During his stay on shore Mr. Roosevelt visited the Duke and Duchess of Oosta, at Capimonte. He later dined privately at a hotel after which he boarded the steamer Admiral at 10 o'clock tonight. The Admiral, which will convey the Roosevelt party to Mombasa, sailed at midnight.

The ex-president's quarters were filled with flowers, chief among which were carnations from the German Emperor and the Empress, who sent a great cluster of fragrant blossoms.

The German consul general delivered a letter from the Emperor to Mr. Roosevelt in which the emperor expressed a hope that he would see him on his return from Africa. The emperor closed his letter with "Weidmusspell," meaning "Hail to the Successful Huntsman."

Mr. Roosevelt was especially touched with these evidences of good will and in expressing his thanks said: "In a year from now you will be in a position to see whether I deserve such a wish."

GOV. HASKELL TO BE TRIED

Accused With Others of Being Connected With Town Lot Scheme

TULSA, Okla., April 5.—Governor Haskell and six other prominent citizens of Oklahoma who are under indictment for alleged frauds in the Muskogee town lot cases, appeared before the United States circuit court today ready for trial. Judge John A. Marshall of Utah presided. A motion to quash was argued, charging misconduct before the grand jury by Assistant Attorney General Rusa of Omaha.